

REMARKS

This paper is filed in response to the Office Action received January 24, 2007.

Following the amendments above, claims 24-46, 48-62, 64-66, 74-78, and 84-94 are pending in this application. Claims 46-48, 50, 51, 53-59, 61, 62, 85, 86, 88-90, and 94 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,643,087 to Marcus et al ("Marcus") in view of U.S. Patent No. 5,530,455 to Gillick et al ("Gillick"). Claims 24-27, 32-34, 36-45, 49, 60, 84, 87, 92, and 93 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gillick in view of Gillick and further in view of U.S. Patent No. 5,589,828 to Armstrong ("Armstrong"). Claim 48 was rejected under 35 U.S.C. § 112, second paragraph, for having an element lacking antecedent basis.

The Examiner has indicated that claims 64-66 and 74-78 are allowable, and that claims 28-31, 35, 52, and 91 would be allowable if re-written as independent claims. Applicant appreciates the allowance of these claims.

Applicant has amended claims 24, 46, 48, 49, 58, 64, 74, and 78, and cancelled claim 47. No new matter is added by these amendments, and support may be found in the specification and claims as originally filed.

Applicant traverses each of the examiners rejections, and reconsideration and allowance of all claims is respectfully requested in light of the amendments above and the remarks below.

I. § 112, second paragraph – Claim 48

Applicant has amended claim 48 to provide antecedent basis for the two degrees of freedom. Applicant respectfully requests the Examiner withdraw the rejection of claim 48.

II. § 103(a) – Marcus in view of Gillick – Claims 46-48, 50, 51, 53-59, 61, 62, 85, 86, 88-90, and 94

Applicant respectfully traverses the rejection of claims 46-48, 50, 51, 53-59, 61, 62, 85, 86, 88-90, and 94 under 35 U.S.C. § 103(a) as being unpatentable over the Marcus in view of Gillick.

To sustain a rejection of a claim under 35 U.S.C. § 103(a), the combined references must teach or suggest each and every element of the claim. *See* M.P.E.P. § 2143.03.

Applicant has cancelled claim 47 rendering the rejection of that claim moot.

Because Marcus in view of Gillick does not teach or suggest “a handheld support housing configured to be held by one hand of a user” as recited in claim 46, claim 46 is patentable over the combined references. Marcus teaches a two-handed game controller, not “a handheld support housing configured to be held by one hand of a user.” Further, while Gillick teaches a conventional mouse, a mouse is not “a handheld support housing configured to be held by one hand of a user.” The mouse taught by Gillick is not a handheld device, and would not function if it were held in a user’s hand. Thus, the combined references do not teach or suggest each and every element of the claimed invention. Applicant respectfully requests the Examiner withdraw the rejection of claim 46.

Like claim 46, claim 58 recites an “interface control device configured to be held by one hand of a user.” Claim 58 is patentable over the combined references for at least the same reason as claim 46. Applicant respectfully requests the Examiner withdraw the rejection of claim 58.

Like claim 46, claim 86 recites “a housing configured to be held in one hand such that no additional support is needed to operate the device.” Claim 86 is patentable over the combined references for at least the same reason as claim 46. Applicant respectfully requests the Examiner withdraw the rejection of claim 86.

Claims 48, 50, 51, 53-57, and 85 each depend from and further limit claim 46. Claims 59, 61, and 62 each depend from and further limit claim 46. Claims 88-90 and 94 each depend from and further limit claim 86. Each of claims 48, 50, 51, 53-57, 59, 61, 62, 85, 88-90, and 94 are patentable over the combined references for at least the same reason as their respective base claim. Applicant respectfully requests the Examiner withdraw the rejection of claims 48, 50, 51, 53-57, 59, 61, 62, 85, 88-90, and 94.

III. § 103(a) – Marcus in view of Gillick and further in view of Armstrong – Claims 24-27, 32-34, 36-45, 49, 60, 84, 87, 92, and 93

Applicant respectfully traverses the rejection of claims 24-27, 32-34, 36-45, 49, 60, 84, 87, 92, and 93 under 35 U.S.C. § 103(a) as being unpatentable over the Marcus in view of Anderson.

To sustain a rejection of a claim under 35 U.S.C. § 103(a), the combined references must teach or suggest each and every element of the claim. *See* M.P.E.P. § 2143.03.

Because Marcus in view of Gillick and further in view of Armstrong does not teach or suggest “a support housing configured to be held by one hand of a user” as recited in claim 24, claim 24 is patentable over the combined references. As discussed above, Marcus in view of Gillick does not teach or suggest “a support housing configured to be held by one hand of a user.” Armstrong does not cure this deficiency. Armstrong teaches a 6-degree of freedom device, however, Armstrong was introduced to show two degrees of freedom in substantially a single plane. This does not teach “a support housing configured to be held by one hand of a user.” Thus, claim 24 is patentable over the combined references. Applicant respectfully requests the Examiner withdraw the rejection of claim 24.

Like claim 24, claim 46, from which claim 49 depends, recites “a handheld support housing configured to be held by one hand of a user.” Claim 49 is patentable over the combined references for at least the same reasons as claim 24. Applicant respectfully requests the Examiner withdraw the rejection of claim 49.

Like claim 24, claim 58, from which claim 60 depends, recites “interface control device configured to be held by one hand of a user.” Claim 60 is patentable over the combined references for at least the same reasons as claim 24. Applicant respectfully requests the Examiner withdraw the rejection of claim 60.

Like claim 24, claim 86, from which claims 87, 92, and 93 depend, recites “a housing configured to be held in one hand such that no additional support is needed to operate the device.” Claims 87, 92, and 93 are each patentable over the combined references for at least the same reasons as claim 24. Applicant respectfully requests the Examiner withdraw the rejection of claims 87, 92, and 93.

Claims 25-27, 32-34, 36-45, and 84 each depend from and further limit claim 24. Therefore, each of claims 25-27, 32-34, 36-45, and 84 is patentable over the combined references for at least the same reasons as claim 24. Applicant respectfully requests the Examiner withdraw the rejection of claims 25-27, 32-34, 36-45, and 84.

CONCLUSION

Applicant respectfully asserts that in view of the amendments and remarks above, all pending claims are allowable and Applicant respectfully requests the allowance of all claims.

Should the Examiner have any comments, questions, or suggestions of a nature necessary to expedite the prosecution of the application, or to place the case in condition for allowance, the Examiner is courteously requested to telephone the undersigned at the number listed below.

Respectfully submitted,

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/ Carl Sanders /

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